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MAY 14 2001  
UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/778,595	02/06/2001	Randall G. Mutters	UC2001-209-1

CONFIRMATION NO. 4720

FORMALITIES LETTER



\*OC00000005852660\*

Steven L. Smith  
O'BANION & RITCHIE LLP  
Suite 1550  
400 Capitol Mall  
Sacramento, CA 95814

Date Mailed: 03/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$206.
  - \$126 for 14 total claims over 20.
  - \$80 for 2 independent claims over 3 .
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 626.**

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355  
126  
626

03/16/2001 RECEIVED 09778595

01 FC:201  
02 FC:202  
03 FC:203  
04 FC:204

*A copy of this notice **MUST** be returned with the reply.*

*Wassene Thers*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





H-A  
f 3  
Sackovich

PATENT

Docket No.: UC2001-209-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RANDALL G. MUTTERS; JAMES W. ECKERT  
Serial No.: 09/778,595  
Filed: FEBRUARY 6, 2001  
For: METHOD AND APPARATUS FOR DETERMINING PLANT NUTRIENT STATUS  
Group:  
Examiner:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

5/11/01

John P. O'Banion, Reg. No. 33,201

5/11/01

Date of Signature

**BOX MISSING PARTS**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 C.F.R. § 1.53**

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1533) mailed March 12, 2001, a copy of which is enclosed, please find the following documents which are incorporated by reference herein:

1. Combined Declaration and Power of Attorney;
2. Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 3.71;
3. Assignee Certification Under 37 C.F.R. 3.73(b);
4. PTO Form 1449;
5. Copies of Citations Listed on PTO Form 1449;

6. Check in the amount of \$626(\$561 filing fees and \$65 surcharge for the fees due as a small entity);
7. Assignment Cover Letter;
8. Assignment;
9. Check in the amount of \$40 (assignment recording fee).

The amount due for the filing fees and surcharge has been computed as follows:

CLAIMS AS FILED						
	Number filed		Number Extra		Rate	Basic Fee
Total						\$ 710.00
Claims 37 CFR 1.16(c)	34 - 20	=	14	X	\$18.00	= 252.00
Independent						
Claims (37 CFR 1.16(b))	5 - 3	=	2	X	\$80.00	= 160.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))				+	\$270.00	=

Filing Fee Calculation	\$ 1,122.00
Surcharge	\$ 130.00
<b>TOTAL FILING FEE</b>	<b>\$ 1,252.00</b>

**Small Entity Statement(s)**

Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27

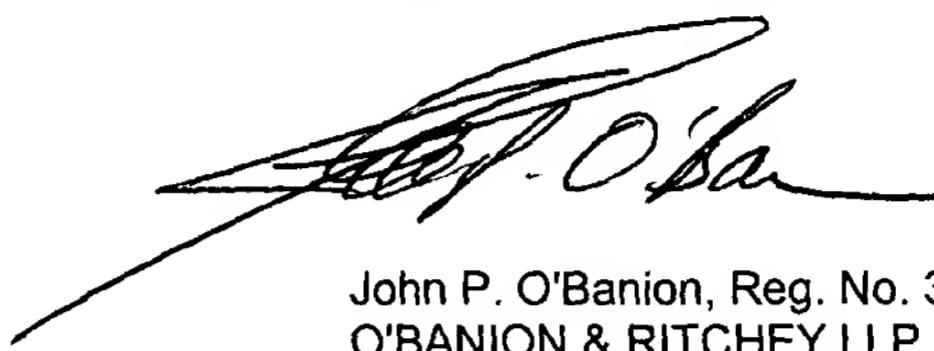
Filing Fee Calculation (50% of above)	\$ 626.00
Amount already paid	LESS (\$ _____)
<b>TOTAL FILING FEES DUE</b>	<b>\$ 626.00</b>
<input checked="" type="checkbox"/> Assignment recording fee	\$ 40.00
<input type="checkbox"/> Petition fee	\$ 0
<b>TOTAL FEES DUE</b>	<b>\$ 666.00</b>

Please charge any additional fees due to deposit account no. 07-1137.

Having now complied with all of the requirements of 37 C.F.R. 1.53, the Applicants respectfully request that this application be placed upon the files for examination.

Dated: 5/11/01

Respectfully submitted,

  
John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): RANDALL G. MUTTERS; JAMES W. ECKERT

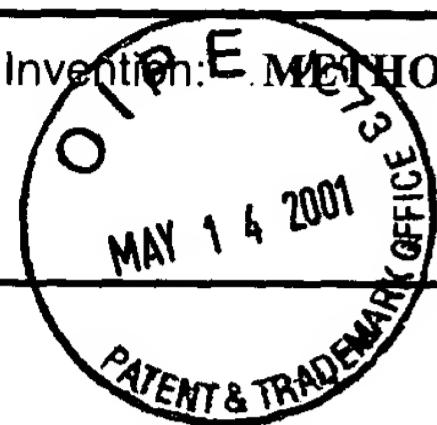
Docket No.

UC2001-209-1

Serial No.  
09/778,595Filing Date  
FEBRUARY 6, 2001

Examiner

Group Art Unit

Invention: **E METHOD AND APPARATUS FOR DETERMINING PLANT NUTRIENT STATUS**

I hereby certify that this Power of Attorney by Assignee and Assignee Certification (Page 1 & 2)  
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The  
Assistant Commissioner for Patents, Washington, D.C. 20231 on

5/11/01  
(Date)**JOHN P. O'BANION**

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): RANDALL G. MUTTERS; JAMES W. ECKERT

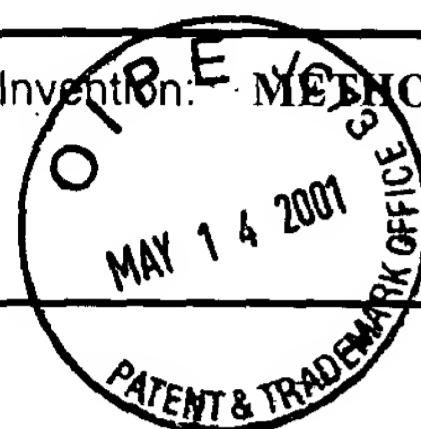
Docket No.

UC2001-209-1

Serial No.  
09/778,595Filing Date  
FEBRUARY 6, 2001

Examiner

Group Art Unit

Invention: **METHOD AND APPARATUS FOR DETERMINING PLANT NUTRIENT STATUS**

I hereby certify that this **Notice to file Missing Parts of Nonprovisional Application (Page 1 & 2)**  
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*5/14/01*  
(Date)

**JOHN P. O'BANION**

(Typed or Printed Name of Person Mailing Correspondence)

*John P. O'Banion*  
(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**Applicant(s): **RANDALL G. MUTTERS; JAMES W. ECKERT**

Docket No.

**UC2001-209-1**Serial No.  
**09/778,595**Filing Date  
**FEBRUARY 6, 2001**

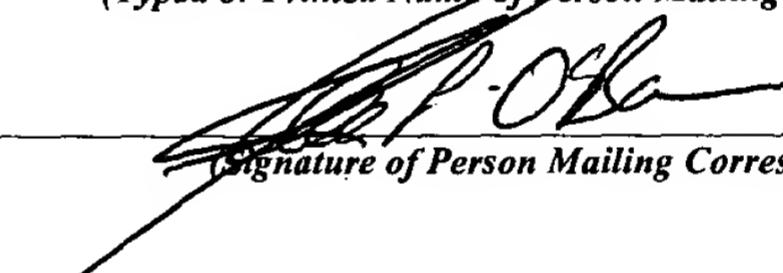
Examiner

Group Art Unit

Invention: **METHOD AND APPARATUS FOR DETERMINING PLANT NUTRIENT STATUS**I hereby certify that this **Combined Declaration & Power of Attorney (Page 1 thru 5)**  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

**5/11/01**  
*(Date)***JOHN P. O'BANION***(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **RANDALL G. MUTTERS; JAMES W. ECKERT**

Docket No.

**UC2001-209-1**

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: **METHOD AND APPARATUS FOR DETERMINING PLANT NUTRIENT STATUS**

I hereby certify that the following correspondence:

**DRAWING SHEETS (6 sheets)***(Identify type of correspondence)*

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**FEBRUARY 6, 2001***(Date)***JERRY V. KING***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL484718426US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**